



- CITY OF BIGGS -
PLANNING DEPARTMENT STAFF REPORT

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DATE: July 9, 2013
Updated: August 13, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Scott Friend, AICP - City Planner

SUBJECT: Night Herons / Bird Infestation

Report Update:

Due to preexisting schedule commitments, a representative from the California Department of Fish and Wildlife Department was not able to attend the July City Council meeting to engage the City Council and members of the public on the topic of the City's on-going bird infestation problem. As requested by the City Council, the City Planner has been in contact with the Department's regional biologist, Mr. Henry Lomelli, and he has indicated that he is planning to attend the August City Council meeting to try and assist the City and local residents in understanding what can be done to address the issue.

(Report text below is as presented in July)

Report Summary:

Acting at the request of the City Administrator, Planning staff has contacted the California Department of Fish and Wildlife (CDFW) in regard to the recent influx of additional night herons into the City and the resulting disruptions that this is causing. The purpose of this report is to provide the Council with what limited information staff could find and prepare in the time provided and to inform the Council about the bird and its protection status under the law.

Background / Discussion - General:

Based upon the information provided to staff and upon staff's observations, it appears as if the City has become a favored nesting location for the Black-crowned and Yellow-crowned Night-heron. The birds are protected under the Migratory Bird Treaty Act (MBTA), which is enforced by the U.S. Fish & Wildlife Service and the herons are listed as a protected species in California during the period of time that they actively are nesting. Nesting occurs generally between February and August and the birds and their nests cannot be harassed during the time. Disturbance to or harassment of nests during active nesting periods can result in the imposition of fines and game disturbance violations.

Typical techniques used to encourage the bird to move from an existing nesting or roosting location include removal of nests upon the culmination of nesting period, vegetation management (trimming trees), netting trees to prevent nest re-construction and/or tree removal.

Staff has been in contact with both Law Enforcement officers from the CDFW and the regional CDFW biologist on this issue. Staff hopes that a representative of the Department will be available to respond to Council questions on this matter at the July 9th meeting.

Fiscal Impact:

Not Applicable.

Environmental Review:

Not Applicable.

Staff Recommendation:

None provided.

Attachments:

None